REMARKS/ARGUMENTS

In paragraphs under 3, claims 1, 4, 10, 11, 14, 20, 21, 23, 31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Appelman et al. U.S. Patent 6,539,421 (hereinafter Appelman) in view of Morris et al. U.S. Patent 6,596,851 (hereinafter Morris). The rejection is traversed, and reconsideration is requested.

Appelman describes an instant messaging client interface. This is a fundamental component to instant messaging and is an example of the prior art before the present claimed invention. Appelman discloses that one user can send messages to another known user - or users. In Appelman, a first user needs to know the ID of the second user in order to chat with them. In a chat room scenario, a user joins the chat room and might not know the users, but once entered is aware of any user ID in the chat. Appelman does not describe anything about using broadcast messaging where there is no knowledge at the time of sending a message, the identities of the recipients. In Appelman, each message from the first user to the second user includes an address which directs the message to the second user. For instance, in Col. 4, lines 36-37: ". . . the user enters a message 16 having an address 18 for whom the message 16 is intended . . ." Also at Col. 5, lines 33: "if a message is being addressed to the second user." Much of Appelman is directed to how an address is constructed to a recipient by the fewest keystrokes possible so as to auto-complete a partially entered address based on a subset of potential message recipients (see the abstract).

Morris discloses a first user inviting a second user to an activity with the ability of the second and optionally a third user to decline or propose a different activity. Morris discloses a fundamental n-way chat solution. Morris requires the first user to know the target recipients. In Fig. 2 of Morris and Col. 2, lines 9 and 10, the chat room 200 participants' identities or screen names are listed in a scrolling window 210. Thus, when a user enters a chat room, the identities or screen names of the participants in the chat room are shown in window 210, wherein the other participants are known to the user. In col. 2, lines 18-24 of Morris: "The chat room 200 shown in Fig. 2 is 'public', meaning that it is generally open to any user of the online service who accesses it, and it typically has multiple participants who were placed in the chat room by the computer-service provider and who most likely never have met or conversed with one another

before." However at col. 2, lines 7-9 of Morris: "In the example of FIG. 2, the chat room 200 has 22 participants whose identities (or 'screen names') are listed in a scrolling window 210." Thus, in Morris, the participants may be unknown before they join or are joined to a chat room 200, but as soon as they join or are joined to a chat room, they become known by having their screen names posted in the scrolling window.

Independent claims 1, 6, 10, 11, 16, 20, 21, 25 and 29 have been amended to make clear that subscribers are anonymous before a first message is sent from the first user (client) to a second user (client) and remain anonymous after a second message is sent from the second user to the first user. This is not true in Morris, because in Morris if a participant wishes to respond to a communication, the participant must first join a chat room. As soon as the participant joins a chat room, the participant's screen name is placed in the scrolling window such that all participants in the chat room know who has joined. Thus, in Morris, even if the participant is anonymous before joining a chat session, the participant is not anonymous after joining the chat room. In Morris, participants may not communicate with one another unless they join a chat room. In Morris, the chat room may be private, but private chat rooms are accessed exclusively by the originators and their invitees (see col. 2, lines 30-31). Semi-private chat rooms are only open to a specified group of users (col. 2, line 34-35). In each of these chat rooms, the participants are known before a response to a communication can be sent. In Morris, two buddies can communicate directly (i.e. chat) using the AIM system because they both are online and are aware of each other's presence (see col. 2, lines 43-45). It is submitted that independent claims 1, 6, 10, 11, 16, 20, 21, 25 and 29, as amended, and all claims depended therefrom are allowable under 35 U.S.C. 103(a) over Appelman in view of Morris, which allowance is respectfully requested.

In paragraphs numbered 4, claims 2-3, 5-9, 12-13, 15-19, 22, 24-30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Appelman in view of Kapil et al. U.S. Patent 6,941,345 (hereinafter Kapil) in view of Morris. The rejection is respectfully traversed, and reconsideration is requested.

As applied above, Appelman and Morris disclose sending a first message from a first client to second client, followed by a second message from a second client to a first client wherein the second client is known to the first client.

Kapil discloses a real-time text-based messaging system in which the first message is a request received from a user in a first community indicating a desired text-based messaging session with a user in a second community (see the abstract, Col. 4 line 9 "server 30 processes the request", line 13 "establishing inter-community messaging is to send requests", Col. 11 line 25-26 "server listens at a predetermined port for a request", line 41 "Upon receiving the request from the controller . . . each of the one or more destination servers determines . . . whether at least one user in the request exists, is available, and is interested in a chat connection." In Kapil, communications must be established before a message is sent from one community to another community. For instance, at Col. 3, lines 37-39: "A messaging application 38 may be used to establish a chat session or a messaging session with another user on the network." Also, at Col. 3, lines 63-66: "As an example, the terminal 12 that is part of the first community 14 may establish a real-time text-based messaging or communications session with the terminal 18 which is part of the second community 16." Also, at Col. 4, lines 35-44: ". . . to establish a real-time messaging or communications session, user A at terminal 12 in the first community 14 may start its copy of the contact client to enter the name of a desired destination user. The contact client in the terminal 12 then establishes communications with a contact server in the service provider 22 of the second community 16. The contact server in the second service provider 22 can then send a rejection indication to the contact client in terminal 12 is communications is not possible (user B does not exist," Thus, in Kapil, the message to be sent from one community to another community is not sent until communication between the communities is first established. Thus, in Kapil, before a message is even sent from a first user to a second user, the first user sends a request to a service provider to establish that the receiver exists and is able to receive. Only after the messaging session is established is a message sent by the first user.

Independent claims 6, 16, 25, and 29 are amended to claims messages sent from a first client to a second client through or via a pub/sub service wherein the second client subscribes to the pub/sub service and is anonymous to the first client and other subscribers of the pub/sub service, and, in addition sending a second message responsive to the first message directly from the second client to the first client, wherein the second client remains anonymous the to first client

- 14 -

and other subscribers. Sending the second message directly from the second client to the first client is supported in paragraph [0055] and Fig. 4 wherein client 2, 306 sends a message to client 1, 305 by way of IM2, 404, which is not connected to the pub/sub server 304. It is submitted that independent claims 6, 16, 25, and 29, and claims depended therefrom, are allowable under 35 U.S.C. 103(a) over Appelman in view of Kapil and in view of Morris, which allowance is respectfully requested. It is further submitted that claims 1-2, 5-9, 12-13, 15-19, 22, 24-30, and 32 are allowable under 35 U.S.C. 103(a) over Appelman in view of Kapil and in view of Morris for the reasons discussed, which allowance is respectfully requested.

It is respectfully submitted that the application is now in condition for allowance, which allowance is respectfully requested.

RESPECTFULLY SUBMITTED

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